THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 28152 of 2005

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DATED: 02.01.2005

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Between:

Naidu Venkateswara Rao

… PETITIONER

AND

The District Cooperative Officer,

Krishna District at Machilipatnam

& others.

… RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 28152 of 2005

ORDER:-

This writ petition is filed to declare the action of the respondent in declaring that the 3rd respondent is disqualified for continuation as President of the Management Committee of the Primary Agricultural Cooperative Society of the Chinnapuram Village, Bandar (Machilipatnam Mandal), Krishna District as illegal, arbitrary, contrary to provisions of the A.P. Cooperative Societies Act, 1964.

Heard the learned counsel appearing for the petitioner as well as the learned Government Pleader appearing for Respondents 1 and 2.

It is submitted that the petitioner is a Member of the Primary Agricultural Cooperative Society, Chinnapuram village, Bandar (Mahcilipatnam), Krishna District and the 3rd respondent was also a Member, who contested to the post of President of the said society by declaring that he has got only two children though he got three children. It is stated that having three children as on the notified date, it is a disqualification to choose a Member as President of the said Society. Accordingly, the petitioner filed a representation, dated 11.11.2005, by way of a legal notice to the respondents 1 and 2 to take appropriate action in accordance with law, but the said application has not been considered and disposed of so far.

Having regard to the facts and circumstances of the case, the respondents 1 and 2 are directed to consider and dispose of the representation of the petitioner after giving reasonable opportunity to the 3rd respondent and take appropriate action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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02.01.2006

Note:- Issue CC in one week.

B/o.

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